Case 3:11-cr-00140-RCJ-WGE BOCUMENT 39 F#166-08871572 **FILED** received **ENTERED** SERVED ON COUNSEL/PARTIES OF RECORD 1 2 AUG 2 1 2012 3 CLERK US DISTRICT COURT DISTRICT OF NEVADA 4 BY: DEPLITY 5 6 UNITED STATES DISTRICT COURT 7 DISTRICT OF NEVADA 8 UNITED STATES OF AMERICA, 9 Plaintiff, 3:11-CR-140-RCJ (WGC) 10 ٧. GREGORY GERARD, 11 Defendant. 12 FINAL ORDER OF FORFEITURE 13 On June 13, 2012, the United States District Court for the District of Nevada entered a 14 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United 15 States Code, Section 2253, based upon the plea of guilty by defendant GREGORY GERARD to the 16

On June 13, 2012, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 2253, based upon the plea of guilty by defendant GREGORY GERARD to the criminal offense, forfeiting specific property alleged in the Indictment and shown by the United States to have a requisite nexus to the offense to which defendant GREGORY GERARD pled guilty. Criminal Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 20; Preliminary Order of Forfeiture, ECF No. 22.

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This Court finds the United States of America published the notice of the forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from June 15, 2012, through July 14, 2012, notifying all third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 28.

This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

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This Court finds no petitions are pending with regard to the assets named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the property hereinafter described is condemned, forfeited, and vested in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code, Section 2253; and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

- 1. One Toshiba Laptop Computer;
- 2. One Dell Desktop Computer; and
- any book, magazine, periodical, film, videotape, or other matter which 3. contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252A.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the United States of America's management of any property forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

The Clerk is hereby directed to send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office.

DATED this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_

UNITED STATES DISTRICT JUDGE